

REMARKS

The applicant respectfully requests reconsideration in view of the amendments and the following remarks. Support for amended claim 3 can be found in the original claim 3. Support for newly added claims 18-21 can be found in the original claim 3.

The Examiner maintains his rejection of claims 3-16 are rejected under 35 U.S.C. 112 as failing to comply with the written description requirement. The Examiner stated that claims 3-16 remain rejected under 35 U.S.C. 112 because the specification does not reasonably provide enablement for any ligand/metal combination other than 2-phenylpyridine and iridium. The applicant respectfully traverses this rejection.

In order to expedite prosecution, the applicant has further restricted the definition of the prepared compounds to formula (1), (2), (3) and (5a). The Examiner stated that the applicant has not enabled the X ligands which are found in the formulae 3, 4, 5a, 5b and 6. The applicant has enclosed an executed declaration by Dr. Stoessel which shows that the specification does enable formulae (3) and (5a) (see the enclosed declaration). The applicant has cancelled formulae 4, 5b and 6.

The applicant believes that the claims are enabled. For the above reasons, this rejection should be withdrawn.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant believes no additional fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 14113-00050-US from which the undersigned is authorized to draw.

Dated: November 23, 2009

Respectfully submitted,

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Enclosure: Declaration